

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SALLY CARMACK,

Plaintiff,

vs.

Case No. 05-CV-73679  
HON. GEORGE CARAM STEEH

PETCO ANIMAL SUPPLIES STORES, INC.,

Defendant.

\_\_\_\_\_ /

ORDER DISMISSING SEPTEMBER 29, 2005 SHOW CAUSE ORDER (#2)

On September 29, 2005, plaintiff Sally Carmack was ordered to show cause by October 14, 2005 why this case should not be dismissed for lack of federal subject matter jurisdiction in the absence of allegations sufficient to ascertain defendant Petco's citizenship and establish diversity. See 28 U.S.C. § 1332(a)(1); JP Morgan Chase Bank v. Traffic Steam (BVI) Infrastructure Ltd., 536 U.S. 88, 91 (2002). Plaintiff filed a response on October 3, 2005 alleging defendant Petco is a citizen of Delaware as its state of incorporation, and a citizen of California as its principal place of business. See 28 U.S.C. § 1332(c)(1). Plaintiff alleges in her complaint that she is a Michigan citizen. Plaintiff has thus shown cause by alleging sufficient facts to establish complete diversity. See Owen Equipment and Erection Co. v. Kroger, 437 U.S. 365, 373 (1978). Accordingly,

The court's order requiring plaintiff to show cause is hereby DISMISSED.

SO ORDERED.

s/George Caram Steeh  
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GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

Dated: October 5, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on October 5, 2005, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
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Deputy Clerk